

00-*R*-1924

Entered - 12/21/97 - tew  
CL97L0797 - DIANNE C. MITCHELL

CLAIM OF: **CHARLES G. TAYLOR**  
83 Overlook Drive  
Seale, Alabama 36875-4207

For damages alleged to have been sustained as a result of the  
destruction of claimant's weapon on October 31, 1996 at 175 Decatur  
Street.

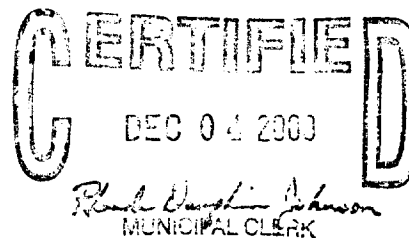
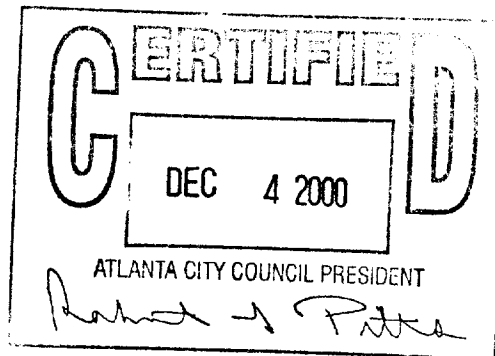
THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell by RWB/DCA*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED BY  
CITY COUNCIL DEC 04 2000

ADVERSED REPORT  
Public Safety  
11/28/00  
C. T. Martin  
*[Signature]*  
*[Signature]*





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

December 12, 2000

Charles G. Taylor  
83 Overlook Drive  
Seale, Alabama 36875-4207

**00-R-1924**

Dear Mr. Taylor:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on December 4, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 97L0797

Date: November 15, 2000

Claimant /Victim CHARLES G. TAYLOR

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 83 Overlook Drive, Seale, Alabama 36875-4207

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 40.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 11/24/97 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 10/31/96 Place: 175 Decatur Street

Department Police Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant's gun was stolen from his vehicle, later recovered by police and ultimately destroyed without prior notification to him. The Police Property Management Division has reimbursed the claimant for this loss.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_

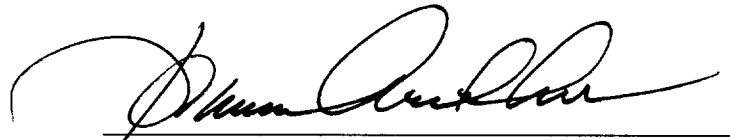
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces X

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
\_\_\_\_\_  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 11-15-00

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

Council of The City of Atlanta  
 Clerk of The Council  
 City Hall  
 55 Trinity Ave. S.E.  
 Atlanta, Ga. 30335

Re: Claim for Damages

Today's Date: 11/19/97

*Oatis*  
12-9-97

ENTERED - 12/21/97 -- tew  
 97L0797 - ANTHONY G. OATIS

Dear Sir or Madam:

This is to notify the City of Atlanta that I have suffered damages in the sum of  
 \$ 4000 Property and/or \$ \_\_\_\_\_ bodily for which I contend the City is  
 liable. *Complaint # 962870628*

1. Date of Incident 10/13/96 2. Police Called YES  
 Month/Day/Year (Yes) (No)

3. Location of Incident 311 Courtland ST

4. Name of your Insurance Company. State Farm Policy # See letter attached

5. State what and how the incident occurred: truck window broken, pistols stolen.  
*CASE # 963150240*  
my Karen 25.4 auto 5A 786232 was recovered then destroyed by APD. I was  
never contacted until after my pistol was destroyed

6. **ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE**  
**MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED**  
**AND MAY RESULT IN CRIMINAL PROSECUTION.**

7. The registered owner must make the claim for vehicle damages. Complete the following  
 and attach two (2) estimates of repair.

Your Vehicle: \_\_\_\_\_  
 (make) (year) (tag #) (drivers name)

City Vehicle: \_\_\_\_\_  
 (make) (drivers name) (department)

8. Witness: \_\_\_\_\_  
 (name) (address) (phone)

9. The acknowledgement of this claim in no way waives the Governmental Immunity of the  
 City of Atlanta, as granted by State Law, nor is it an admission of liability on behalf of the City of  
 Atlanta and/or its employees.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE  
 AND CORRECT.

10. THIS CLAIM SHOULD BE MAILED  
 IMMEDIATELY TO THE ADDRESS  
 SHOWN ABOVE

Charles Alan Taylor (SEAL)  
 (Claimant)

83 Overlook Drive  
 (Address)

Seale AL 36875  
 (City) (State) (Zip)

(334) 297-6881 (706) 565-1953  
 (Home Phone) (Bus Phone)

*Mary Anne Detention*  
**00-R-1924**

RCS# 2434  
12/04/00  
3:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-19

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	B Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1874  
00-O-1986  
00-R-1950

CONSENT

		12/04/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1289 2. 00-O-1680 3. 00-O-1792 4. 00-O-1797 5. 00-O-1003 6. 00-O-1228 7. 00-O-1795 8. 00-O-1796 9. 00-O-1860 10. 00-O-1616 11. 00-O-1853 12. 00-O-1801 13. 00-O-1963 14. 00-O-1965 15. 00-R-1788 16. 00-R-1886 17. 00-R-1953 18. 00-R-1955 19. 00-R-2009 20. 00-R-2010 21. 00-R-2011* 22. 00-R-1890 23. 00-R-1937 24. 00-R-1938 25. 00-R-1939 26. 00-R-1940 27. 00-R-1988 28. 00-R-2006 29. 00-R-2013 30. 00-R-1887 31. 00-R-2015 32. 00-R-1957 33. 00-R-1958 34. 00-R-1877 35. 00-R-2008	36. 00-R-1959 37. 00-R-1882 38. 00-R-1985 39. 00-R-1943 40. 00-R-1945 41. 00-R-1946 42. 00-R-1947 43. 00-R-1948 44. 00-R-1949 45. 00-R-1951 46. 00-R-1970 47. 00-R-2016 48. 00-R-1901 49. 00-R-1902 50. 00-R-1903 51. 00-R-1904 52. 00-R-1905 53. 00-R-1906 54. 00-R-1907 55. 00-R-1908 56. 00-R-1909 57. 00-R-1910 58. 00-R-1911 59. 00-R-1912 60. 00-R-1913 61. 00-R-1914 62. 00-R-1915 63. 00-R-1916	64. 00-R-1816 65. 00-R-1817 66. 00-R-1818 67. 00-R-1819 68. 00-R-1820 69. 00-R-1821 70. 00-R-1822 71. 00-R-1823 72. 00-R-1824 73. 00-R-1825 74. 00-R-1826 75. 00-R-1827 76. 00-R-1828 77. 00-R-1829 78. 00-R-1830 79. 00-R-1831 80. 00-R-1832 81. 00-R-1833 82. 00-R-1834 83. 00-R-1836  * President Pitts recused himself.